

ments are acceptable to the Federal Social Security Board. The point I wish to stress is that we have been advised that unless this bill is passed so as to become effective by July 1st, and thus coincide with the Federal law which goes into effect at that time, that it may mean the cutting off of Federal contributions to our old age assistance fund.

Inasmuch as the original bill, H. B. No. 611, had the full approval of the Federal Social Security Board, of course they would not cut off their contributions if the bill was enacted as originally written, so if any amendments are added, I want to respectfully caution you to make sure that such amendments are acceptable to the Federal Social Security Board so that no chances whatever will be taken regarding the cutting off of Federal matching of our old age assistance funds.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

At Ease

On motion of Senator Metcalfe, the Senate agreed to stand at ease until the conclusion of the joint session to be held today and, at the conclusion of the joint session, to recess until 10:00 o'clock a. m. tomorrow.

Joint Session

At 1:00 o'clock p. m., the Senate assembled in joint session with the House to hear an address by Hon. H. V. Kaltenborn.

The President occupied a seat at the Speaker's desk.

The presence of a quorum of each House was duly ascertained and announced by the President of the Senate and by the Speaker of the House.

The Hon. H. V. Kaltenborn was announced at the bar of the House and was escorted to the Speaker's rostrum by Representatives Cato, Kennedy, Manford, Stubbs, Lowry and Brown.

Speaker Leonard presented Representative Cato, who introduced Mr. Kaltenborn to the joint session.

Mr. Kaltenborn then addressed the joint session.

Recess

The joint session was concluded at 1:40 o'clock p. m., and the Senate then took recess, in accordance with a motion previously agreed to, until 10:00 o'clock a. m. tomorrow.

SIXTY-NINTH DAY

Continued

(Thursday, May 29, 1941)

The Senate met at 10:00 o'clock a. m., and was called to order by the President.

Message from the Governor

The President laid before the Senate and had read the following message from the Governor:

Austin, Texas,
May 28, 1941.

To The Members of the Forty-seventh Legislature:

For many, many years Texas Rangers have been under the supervision of the Adjutant General, but, during the previous administration they were taken away from the Adjutant General, and placed in the Department of Public Safety. When this was done it left the Governor without any positive means of making investigations of lawlessness when asked to do so by the citizens of this State, and it left him without any positive means of rendering aid in stopping lawlessness in local subdivisions when called upon for such aid.

The citizens of this State expect their Governor to respond when they ask for this service because they know that Article 4, Section 10, of our State Constitution, reads in part as follows:

"He (the Governor) shall cause the laws to be faithfully executed."

The facilities for enabling the Governor to cause the laws to be faithfully executed have been taken away from him, and for that reason, I am attaching a bill which will restore these facilities to the Governor and to the State of Texas so that he may be able to cause the laws to be faithfully executed, and I am submitting this as emergency legislation. This bill when enacted will return the Texas Ranger Force to the Adjutant General's Department.

During these critical times it is more important than ever that the Governor of the State of Texas should have the Texas Rangers under the command of the Adjutant General, and I trust you will give this matter your immediate attention.

Respectfully submitted,
W. LEE O'DANIEL,
Governor of Texas.

Senate Bill 492 on First Reading

The following local bill (as defined in Senate Rule 115) was introduced, read first time, and referred to the Committee on Counties and County Boundaries:

By Senator Beck:

S. B. No. 492, A bill to be entitled "An Act providing for and fixing compensation for County Auditors in certain counties; and declaring an emergency."

House Bills on First Reading

The following bills, previously received from the House, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 1038, to Committee on Game and Fish.

H. B. No. 1058, to Committee on Game and Fish.

H. B. No. 1046, to Committee on Game and Fish.

H. B. No. 1057, to Committee on Game and Fish.

H. B. No. 1036, to Committee on Education.

H. B. No. 1050, to Committee on Education.

H. B. No. 848, to Committee on Finance.

H. B. No. 1011, to Committee on Finance.

H. B. No. 524, to Committee on Counties and County Boundaries.

H. B. No. 739, to Committee on State Affairs.

H. B. No. 996, to Committee on Insurance.

H. B. No. 166, to Committee on Public Health.

H. B. No. 222, to Committee on Privileges and Elections.

H. B. No. 1053, to Committee on Civil Jurisprudence.

H. B. No. 457, to Committee on Civil Jurisprudence.

House Concurrent Resolution 183

The President laid before the Senate and had read (the resolution having been received from the House on May 28, 1941):

H. C. R. No. 183, Authorizing correction in enrolled copy of H. B. No. 73.

By unanimous consent, the resolution was considered and adopted at this time.

Senate Bill 103 on Second Reading

On motion of Senator Hill and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 103 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 103, A bill to be entitled "An Act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; to make obligations issued for such projects of housing authorities legal investments and security for deposits; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 103 on Third Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 103 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Cotten
Beck	Fain
Brownlee	Formby
Chadick	Graves

Hazlewood	Moore
Hill	Ramsey
Isbell	Shivers
Kelley	Smith
Lanning	Stone
Lemens	Sulak
Lovelady	Van Zandt
Martin	Vick
Mauritz	Weinert
Metcalf	York
Moffett	

Absent—Excused

Spears Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Lovelady
Beck	Martin
Brownlee	Mauritz
Chadick	Metcalf
Cotten	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York

Nays—1

Moore

Absent—Excused

Spears Winfield

Reports of Standing Committees

Senator Aikin by unanimous consent, submitted at this time the following reports:

Austin, Texas,
May 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 570, A bill to be entitled "An Act appropriating for the fiscal year 1940-41 all moneys accruing to the Highway Light Test Fund in accordance with existing law; and appropriating the sum of Four Hundred (\$400.00) Dollars from the State Highway Fund for the year 1940-41 to the credit of the Highway Light Test Fund

to be used for the purposes described by and in accordance with existing law; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Austin, Texas,
May 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 963, A bill to be entitled "An Act appropriating out of the State General Revenue Fund the sum of One Thousand (\$1,000) Dollars to the Eddins Common School District, No. 62, Shelby County, Texas, to be used by said school district in rebuilding a public schoolhouse within the district; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

AIKIN, Chairman.

Austin, Texas,
May 28, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 1059, A bill to be entitled "An Act to amend Section 40 of S. B. No. 36, Acts of the Forty-sixth Legislature, to provide the effective date for making grants of aid and assistance to the needy blind and for destitute dependent children; making an appropriation for providing and administering aid to the blind for the period from May 1, 1941 to August 31, 1941; making an appropriation for providing and administering aid and assistance for destitute dependent children for the period from May 1, 1941, to August 31, 1941; and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be mimeographed and not otherwise printed.

AIKIN, Chairman.

Senator Weinert by unanimous consent submitted at this time the following report:

Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 627, A bill to be entitled "An Act to amend Section 12 of H. B. No. 821, Chapter 462, page 1144, Regular Session, Forty-fifth Legislature, as amended, etc.; to authorize housing authorities to acquire by the exercise of the power of eminent domain any interest in real property; to create housing authorities for counties; to provide for the creation of regional housing authorities; etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Senator Smith, by unanimous consent, submitted at this time the following reports:

Committee Room,
Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred

H. B. No. 1046, A bill to be entitled "An Act to amend Section 1 of H. B. No. 808 of the Regular Session of the Forty-second Legislature, Chapter 69, Special Laws, page 157, as amended by H. B. No. 327 of the Regular Session of the Forty-third Legislature, Chapter 34, Special Laws, page 42, providing for the taking of catfish, perch, buffalo, and drum in the waters of Delta, Hopkins, and Franklin Counties, by hand or with a seine or net having meshes one inch square; repealing all laws in conflict; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Committee Room,
Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 1058, A bill to be entitled "An Act amending H. B. No. 843 of the Regular Session of the Forty-seventh Legislature by adding a new Section to be numbered Section 1a, and to provide exemption as to certain waters of Lake Corpus Christi; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

SMITH, Chairman.

House Bill 983 on Passage to Third Reading

The Senate resumed consideration of pending business, H. B. No. 983, relating to expenditures by corporations to aid or hinder the election of candidates for public office, on its passage to third reading; with amendment by Senator Chadick and substitute by Senators Lanning and Metcalfe for the amendment pending.

Senator Ramsey moved to table the substitute.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—18

Aikin	Lovelady
Beck	Moore
Brownlee	Ramsey
Chadick	Shivers
Cotten	Smith
Fain	Sulak
Graves	Vick
Isbell	Weinert
Kelley	York

Nays—5

Formby	Mauritz
Hazlewood	Metcalfe
Lanning	

Absent

Hill	Moffett
Lemens	Stone
Martin	Van Zandt

Absent—Excused

Spears	Winfield
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Senator Lovelady offered the following amendment to the amendment:

Amend Chadick amendment by striking the figures "\$5,000.00" wherever the figures appear and insert in lieu thereof the figures "\$10,000."

LOVELADY,
FAIN,

Senator Chadick moved to table the amendment to the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—9

Aikin	Lanning
Chadick	Martin
Cotten	Mauritz
Formby	Metcalfe
Graves	

Nays—17

Beck	Shivers
Brownlee	Smith
Fain	Stone
Isbell	Sulak
Kelley	Van Zandt
Lemens	Vick
Lovelady	Weinert
Moore	York
Ramsey	

Absent

Hazlewood	Moffett
Hill	

Absent—Excused

Spears	Winfield
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The amendment to the amendment was adopted.

The amendment as amended was adopted.

Senator Van Zandt offered the following amendment to the bill:

Amend the caption to conform to the body of the bill as amended.

The amendment was adopted.

The bill was passed to third reading.

House Bill 983 on Third Reading

Senator Ramsey moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 983 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Beck	Chadick
Brownlee	Cotten

Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Hill	Smith
Isbell	Stone
Kelley	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert
Mauritz	York
Metcalfe	

Nays—2

Aikin	Lanning
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Absent—Excused

Spears	Winfield
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senators Cotten, Lemens, Lanning and Formby asked that they be recorded as voting "nay" on the passage of H. B. No. 983.

Passage of House Bill 875 over Governor's Veto

Senator Shivers submitted the following motion in writing:

Mr. President:

I move that the Senate reconsider H. B. No. 875 and that same be passed and become a law notwithstanding the veto, objections and disapproval of the Governor.

SHIVERS.

The motion prevailed by the following vote:

Yeas—27

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Chadick	Moore
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Nays—1

Martin

Absent

Hill

Absent—Excused

Spears

Winfield

House Bill 620 on Passage to
Third Reading

Senator Brownlee moved to call from the table for further consideration at this time:

H. B. No. 620, A bill to be entitled "An Act amending Section 2 of Chapter 5, Acts, Second Called Session of the Forty-third Legislature, as amended by Chapter 459, Acts, Second Called Session of the Forty-fourth Legislature; and declaring an emergency."

The motion prevailed.

The President laid the bill before the Senate on its passage to third reading (the bill having heretofore been read second time and tabled subject to call).

Senator Brownlee offered the following amendments to the bill:

(1)

Amend H. B. No. 620, by striking out all below the enacting clause, and inserting in lieu thereof the following:

"Section 1. The Board of Regents of The University of Texas is specifically authorized to build, equip, operate and maintain a hospital, under the provisions of Chapter 5, Acts, Second Called Session, Forty-third Legislature, as amended, and to levy and collect a compulsory group hospitalization fee from each student as a pre-requisite to registration in The University of Texas, not to exceed Four (\$4.00) Dollars for any one semester or for any one summer session. Such fee shall be in lieu of any and all other charges for hospitalization. Rules and regulations governing the operation of said hospital and the rights and privileges of students with respect to hospitalization shall be promulgated by the Board of Regents of The University of Texas.

"Sec. 2. The fact that there is imperative need for better hospital facilities for the students of The University of Texas creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and that this Act

take effect from and after its passage, and it is so enacted.

(2)

Amend H. B. No. 620 by striking out all above the enacting clause, and inserting in lieu thereof the following:

"An Act authorizing the Board of Regents of The University of Texas to build, equip, operate and maintain a hospital, under the provisions of Chapter 5, Acts, Second Called Session of the Forty-third Legislature, as amended, and to levy and collect a compulsory group hospitalization fee from each student; and declaring an emergency."

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 620 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 620 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York
Martin	

Nays—1

Aikin

Absent

Hill

Absent—Excused

Spears

Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Beck	Fain
Brownlee	Formby

Graves	Moore
Hazlewood	Ramsey
Isbell	Shivers
Kelley	Smith
Lanning	Stone
Lemens	Sulak
Lovelady	Van Zandt
Martin	Vick
Mauritz	Weinert
Metcalf	York

Nays—4

Aikin	Cotten
Chadick	Moffett

Absent

Hill

Absent—Excused

Spears Winfield

Message from the House

The Chief Clerk of the House was announced and was recognized by the President to present the following message:

Hall of the House of Representatives,
Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolution:

S. B. No. 187, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the Board, and establishing the Texas Commission on Interstate Cooperation; describing the functions and operations of said commission; providing for the establishment of delegations and committees; providing for reports; providing titles for the committees and the commission; declaring the Council of State Governments a joint governmental agency of this State and of the other states; stating the intent of a fund to be appropriated by the Legislature; providing a saving clause; and declaring an emergency."

S. B. No. 462, A bill to be entitled "An Act granting permission to Mount Olivet Cemetery Company, a private corporation chartered under the laws of this State, to bring and prosecute suit against the State of Texas in any court of competent jurisdiction in Tarrant County, Texas, to ascertain the amount, if

any, due the Mount Olivet Cemetery Company for damages alleged to have been sustained by reason of the construction and maintenance of the State highway and the overpass on said State highway which runs in a general easterly and westerly direction on the north side of the cemetery belonging to and operated by the Mount Olivet Cemetery Company in Tarrant County, Texas, said highway being known as State Highway No. 15, and providing that said suit shall be tried according to the rules of law and equity and procedure as would be applicable if the suit were one by and between citizens of the State of Texas or by and between private corporations; providing for a right of appeal by either party and for the joinder of other proper or necessary parties; providing for the service of citation on the State, and providing the time in which such suit may be brought, and providing that the State of Texas may plead any defense available to it, except the Statute of Limitation; and declaring an emergency."

S. B. No. 482, A bill to be entitled "An Act authorizing commissioners' courts in counties of five hundred thousand (500,000) population or more according to the last preceding or any future Federal Census, to formulate a general personnel system and rules and regulations covering hours of work, vacations, holidays, and sick leave, and for medical care, hospitalization and accident insurance of employees of any county affected hereby or any flood control district therein and deputies and assistants to county officers, providing for classifications of positions for said employees and rates of compensation within the limits provided by the Legislature, and for work reports; designating the persons to whom such rules and regulations shall apply and the manner in which the same shall be adopted and for publication thereof; providing that such rules and regulations shall apply to any flood control district wholly within such counties; providing for contracts of employment under such rules and regulations; providing for the creation of a fund and contributions thereto by employees and by any county or flood control district affected hereby for the payment of expenses herein authorized; providing for the disposal of

fund balances upon abandonment of said system and for the method of payment of bills incurred for hospitalization, medical care, and insurance; providing for the establishment of a system of records, the requirements thereof, and the manner of keeping records, making reports, and pay rolls; providing for approval of all rules and regulations by the county auditor; providing for equipment reports; providing for reasonable rules and for their enforcement; providing for the application of rules and regulations adopted by commissioners' courts to juvenile and probation officers and assistants to the county auditor in any such county or flood control district under certain conditions and after approval by the district judges of any such county; providing that this Act shall be cumulative of existing laws except where in conflict, and if any section be unconstitutional that such determination shall not affect the remainder of the Act; and declaring an emergency."

S. B. No. 276, A bill to be entitled "An Act granting permission to Thomas H. Fort to file and prosecute suit against the State of Texas and the State Highway Commission to ascertain and fix the amount, if any, due said Thomas H. Fort for damages alleged to have been sustained by reason of the construction, during the years 1939 and 1940, of highway improvements, consisting generally of road bed treatment, concrete pavement and appurtenances, on those parts of United States Highway No. 80 in Tarrant County, Texas, and East Rosedale Street, Fort Worth, Tarrant County, Texas, which are at and near the intersection of said Highway No. 80 and said East Rosedale Street, and along and near to the North and East lines of a tract of land belonging to said Thomas H. Fort, in Tarrant County, Texas, and on account of alleged damages resulting from the construction of said highway improvements in such way as to overflow and otherwise damage said land of Thomas H. Fort, and on account of the compensation, if any, to which said Thomas H. Fort may be entitled by reason of the taking and damaging, by the State of Texas and the State Highway Commission, of said property for said public use, and permitting the rendition of judgment for such damages and compensa-

tion, if any, as may be ascertained by such suit; that said suit shall be tried according to the rules of law and equity and procedure as would be applicable if the suit were one by and between citizens of the State of Texas or by and between private corporations; providing for a right of appeal by either party; providing for the service of citation on the State and the Highway Commission; providing the time in which such suit may be brought; providing that the State of Texas and State Highway Commission may plead any defense available to it, except the statute of limitation; and declaring an emergency."

H. B. No. 1060, A bill to be entitled "An Act creating Road District No. 6 of Tyler County, Texas, under authority of Article 3, Section 52, of the Constitution of Texas, for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof; making it a body corporate and taxing district; describing said district by metes and bounds; reciting that it comprises a portion of the territory or road district No. 2, of said County which has outstanding road bonds, and declaring that it is not intended by the creation of Road District No. 6 to interfere in any manner with the functioning of said Road District No. 2; providing that such road district shall have authority to issue bonds for the purpose of the construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes or in aid thereof and levy ad valorem taxes in payment thereof, as contemplated by Article 3, Section 52 of the Constitution of Texas, when authorized by two-thirds majority vote of the duly qualified resident property tax-paying voters of said district; providing that such road district shall be governed in the matter of issuing bonds and levying ad valorem taxes in payment thereof as provided by the General Laws of Texas, and particularly Chapter 16 of the General Laws enacted by the Thirty-ninth Legislature at its First Called Session, in 1926, and amendments thereto; and declaring an emergency."

H. C. R. No. 185 Authorizing the Enrolling Clerk of the House of Representatives to correct the caption of

H. B. No. 922 to conform to the body of the bill.

Respectfully submitted,

E. R. LINDLEY,
Chief Clerk, House of Representatives.

Bills Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills:

S. B. No. 269, A bill to be entitled "An Act to amend Articles 3927 and 3928, Revised Civil Statutes, 1925; providing the effective date of the Act; repealing all Acts inconsistent herewith; and declaring an emergency."

S. B. No. 323, A bill to be entitled "An Act amending Section 2 of Chapter 148, of the General Laws passed by the Forty-second Legislature in its Regular Session in 1931, as amended by Section 2, of Chapter 15, of the General Laws passed by the Forty-fourth Legislature in its Regular Session of 1935; so as to authorize the issuance of bonds by any city and/or county for the purchase and/or improvement of land for park purposes; and declaring an emergency."

S. B. No. 414, A bill to be entitled "An Act amending Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by H. B. No. 8, Acts of the Third Called Session of the Forty-fourth Legislature, and by H. B. No. 5, Acts of the regular session of the Forty-fifth Legislature, and by S. B. No. 20, Acts of the First Called Session of the Forty-fifth Legislature, by adding a new Section to be known as Section 24-A, Article II of the Liquor Control Act, regulating the advertising of beer through the medium of outdoor signs."

S. B. No. 470, A bill to be entitled "An Act amending Article X of H. B. No. 8, Acts Regular Session, Forty-seventh Legislature, so as to define the terms 'new,' 'cosmetics,' and 'playing cards;' and declaring an emergency."

S. B. No. 475, A bill to be entitled "An Act accepting title to and establishing King's State Park and setting up a board of commissioners to advise and assist the Board of Control in the improvement, care and preservation of said park."

S. B. No. 479, A bill to be entitled "An Act authorizing eligible cities

as defined herein to issue refunding revenue bonds to take up outstanding revenue bonds issued for the purpose of constructing Exposition and Convention Halls or Coliseums; prescribing the method of issuing and securing such bonds; prescribing the duties of cities and of the officials of cities issuing such refunding bonds; requiring the approval and prescribing the effect of approval of such bonds by the Attorney General; providing for the registration and delivery of such bonds; enacting other provisions relating to the subject and relating to the issuance and security of such bonds; making this Act cumulative of other laws general or special, but providing that it shall take precedence over other laws or charter provisions in conflict or inconsistent herewith; and declaring an emergency."

Report of Standing Committee

Senator Smith, by unanimous consent, submitted at this time the following report:

Committee Room,
Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 1038, A bill to be entitled "An Act providing for a closed season on wild deer and wild turkey in Upshur and Camp Counties for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMITH, Chairman.

Motion to Take Up House Joint Resolution 10

Senator Metcalfe moved that the regular order of business be suspended to take up H. J. R. No. 10, relating to women serving on juries, on its second reading and passage to third reading.

The motion was lost by the following vote:

Yeas—12

Aikin
Chadick

Fain
Graves

Hazlewood
Kelley
Lanning
Lemens

Mauritz
Metcalf
Moffett
Vick

Nays—16

Brownlee
Cotten
Formby
Hill
Isbell
Lovelady
Martin
Moore

Ramsey
Shivers
Smith
Stone
Sulak
Van Zandt
Weinert
York

Absent

Beck

Absent—Excused

Spears

Winfield

House Bill 361 on Second Reading

Senator Sulak moved that the regular order of business be suspended, to permit consideration of H. B. No. 361 at this time.

The motion prevailed by the following vote:

Yeas—19

Brownlee
Chadick
Cotten
Fain
Formby
Hazlewood
Isbell
Kelley
Lanning
Lemens

Lovelady
Mauritz
Moore
Shivers
Smith
Stone
Sulak
Vick
Weinert

Nays—7

Aikin
Beck
Graves
Martin

Metcalf
Moffett
York

Absent

Hill
Ramsey

Van Zandt

Absent—Excused

Spears

Winfield

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 361, A bill to be entitled "An Act declaring the floods of Lavaca County, Texas, to be a public calamity; authorizing a donation and grant to Lavaca County Flood Control District of one-half of the State ad valorem taxes collected in Lavaca County for flood control im-

provement and maintenance purposes, specifying the reports thereon to be made by the assessor and collector of taxes; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters, relating to said donation; providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected; and declaring an emergency."

The bill was read second time.

Senator Sulak offered the following amendment to the bill:

Amend H. B. No. 361 by striking out in line one (1) page two (2) of said bill, the words "to be created."

The amendment was adopted.

The bill was passed to third reading.

House Bill 361 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 361 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Brownlee
Chadick
Cotten
Fain
Formby
Graves
Hazlewood
Kelley
Lanning
Lemens
Lovelady

Mauritz
Metcalf
Moore
Ramsey
Shivers
Smith
Stone
Sulak
Van Zandt
Vick
Weinert

Nays—5

Aikin
Beck
Isbell

Moffett
York

Absent

Hill

Martin

Absent—Excused

Spears

Winfield

The President then laid the bill before the Senate on its third reading: and final passage.

The bill was read third time and was passed by the following vote:

Yeas—15

Brownlee	Metcalf
Fain	Moore
Hazlewood	Stone
Kelley	Sulak
Lanning	Van Zandt
Lemens	Vick
Lovelady	Weinert
Mauritz	

Nays—11

Aikin	Isbell
Beck	Moffett
Chadick	Shivers
Cotten	Smith
Formby	York
Graves	

Absent

Hill	Ramsey
Martin	

Absent—Excused

Spears	Winfield
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House Bill 7 on Second Reading

On motion of Senator Mauritz and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 7 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 7, A bill to be entitled "An Act to aid the City of Port Lavaca in constructing and maintaining revetments, and in the restoring, protection and improvement of the harbor and bay shore front of the City of Port Lavaca, and for the purchase, by condemnation or otherwise, of all lands necessary for said bay shore front and harbor improvements, all for public use, by donating to said City of Port Lavaca the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Calhoun County, State of Texas, for a period of twenty (20) years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misappropriation of funds raised therefor; and to declare an emergency."

The bill was read second time and was passed to third reading.

House Bill 7 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 7 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears	Winfield
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—19

Aikin	Mauritz
Brownlee	Metcalf
Fain	Moore
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	

Nays—8

Beck	Isbell
Chadick	Moffett
Cotten	Shivers
Formby	York

Absent

Martin	Ramsey
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Absent—Excused

Spears	Winfield
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House Bill 821 on Second Reading

On motion of Senator Lovelady, and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 821 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 821, A bill to be entitled "An Act to amend Rules 36a and 37a of Article 4477 of the Revised Statutes of the State of Texas, relative to the registration of births and deaths; and declaring an emergency."

The bill was read second time.

Senator Lovelady offered the following (committee) amendments to the bill:

(1)

Amend H. B. No. 821 by striking out all below the enacting clause and inserting in lieu thereof the following:

"Section 1. That Article 4477 of the Revised Civil Statutes of Texas of 1925, as amended by Section 3 of S. B. No. 46, Chapter 41, page 116, Acts of the Fortieth Legislature, First Called Session, as amended by S. B. No. 20, Chapter 4, page 7, Acts of the Forty-first Legislature, First Called Session, be amended so as to hereafter read as follows:

"For the purposes of this Act the State shall be divided into primary registration districts as follows: Each justice of the peace precinct and each incorporated town of two thousand, five hundred (2,500) or more population, according to the United States Census, shall constitute a primary registration district, provided the State Board of Health may combine two or more registration districts, or may divide a primary registration district into two or more parts, so as to facilitate registration, and in the justice of the peace precinct, the justice of the peace shall be local registrar, and in cities of two thousand, five hundred (2,500) or more, according to the last United States Census reports, the city clerk or city secretary shall be the local registrar of births and deaths.

"It is hereby declared to be the duty of the justice of the peace in the justice of the peace precinct, and the city clerk or city secretary in the city of two thousand, five hundred (2,500) or more population, to secure a com-

plete record of each birth and death that occurs within their respective jurisdictions, and have same recorded in the county clerk's office in their respective county on or before the 10th of the following month.

"Sec. 2. That Article 4477, of the Revised Civil Statutes of Texas of 1925, as amended by Section 20, of S. B. No. 46, Chapter 41, page 116, Acts of the Fortieth Legislature, First Called Session, as amended by S. B. No. 20, Chapter 4, page 7, Acts of the Forty-first Legislature, First Called Session, be amended so as to hereafter read as follows:

"That each local registrar be paid the sum of fifty (50c) cents for each birth and death certificate properly and completely made out and registered with him, and correctly recorded and promptly returned by him to the State Bureau of Vital Statistics, as required by this Act, unless such local registrar shall be acting as registrar of births and deaths in an incorporated city where the compensation of the registrar is otherwise fixed by city ordinance.

"The State Registrar shall annually certify to the county commissioners' court or county auditor, as the case may be, the number of birth and death certificates filed by each local registrar at the rate fixed herein, and provided that the State Registrar may render such statements monthly or quarterly, at the discretion of the State Board of Health, and the commissioners' court or county auditor, as the case may be, shall audit such statement and the county treasurer shall pay such fees as are approved by the commissioners' court or the county auditor, at the time such statement is issued.

"And provided further, that the justice of the peace, city clerk or secretary, and the appointed local registrar shall submit to the commissioners' court or county auditor, as the case may be, a true and accurate copy of each birth and death certificate filed with him, and such copies shall bear his file date and signature and shall be deposited in the county clerk's office. The county clerk shall be paid for indexing and preserving such records, such compensation as may be agreed upon by the commissioners' court."

"Sec. 3. The crowded condition of the calendar, the near approach of the end of the Session, and the fact that

the law relative to births and deaths is inadequate to meet the present demands, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read in each House on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend H. B. No. 821 by striking out all above the enacting clause and inserting in lieu thereof the following:

A bill to be entitled

"An Act amending Article 4477 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Section 3 of S. B. No. 46, Chapter 41, page 116, Acts of the Fortieth Legislature, First Called Session, as amended by S. B. No. 20, Chapter 4, page 7, Acts of the Forty-first Legislature, First Called Session, relative to the registration of births and deaths; further amending Article 4477 of the Revised Civil Statutes of Texas of 1925, as amended by Section 20 of S. B. No. 46, Chapter 41, page 116, Acts of the Fortieth Legislature, First Called Session, as amended by S. B. No. 20, Chapter 4, page 7, Acts of the Forty-first Legislature, First Called Session, relative to fees for registration of births and deaths; and declaring an emergency."

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 821 on Third Reading

Senator Lovelady moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 821 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Kelley
Beck	Lanning
Brownlee	Lemens
Chadick	Lovelady
Cotten	Martin
Fain	Mauritz
Formby	Metcalfe
Graves	Moffett
Hazlewood	Moore
Hill	Ramsey
Isbell	Shivers

Smith	Vick
Stone	Weinert
Sulak	York
Van Zandt	

Absent—Excused

Spears Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

House Bill 32 on Second Reading

On motion of Senator Smith, and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 32 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 32, A bill to be entitled "An Act making it unlawful and a felony for any person to steal any mercury used in a gas meter or measuring device or regulating device, providing for a penalty for violation of the terms of this Act, providing that it shall be prima facie evidence that mercury has been stolen to have such mercury in one's possession or to transport the same without a bill of sale or, not having a bill of sale, to be otherwise unable to establish title thereto; defining the term 'steal' and providing that such word need not be defined in any indictment for prosecution under the terms of this Act, and providing that the Act shall be cumulative of all laws of the

State, and authorizing the prosecution thereunder whether or not the Acts complained of constitute the essential elements of other or different offenses against the penal laws, providing a saving clause and declaring an emergency."

The bill was read second time.

Senator Smith offered the following amendment to the bill:

Amend H. B. No. 32 by striking out all below the enacting clause and inserting the following:

Sec. 1. Any person who shall enter upon any premises or gas pipeline right-of-way with intent to steal or carry away without the consent of the owner, or with intent to aid or assist in stealing or so carrying away any mercury from and out of any gas meter or any device by or through which the flow, movement, or pressure of gas is measured or regulated, or which is capable of being used to measure, regulate or control the movement of gas, shall be guilty of a felony and upon conviction shall be punished by confinement in the penitentiary for not less than one (1) nor more than five (5) years, or by confinement in the county jail for not less than ninety (90) days nor more than two hundred (200) days, or shall be fined not less than one hundred (\$100.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, or by both such fine and imprisonment.

"Gas" as that term is used herein means natural gas or artificial gas or a combination or mixture of any such gases.

Sec. 2. It is the finding and declaration that the public health, safety and welfare requires that title to any mercury should be transferred by a written bill of sale.

"Mercury" as that term is used herein means the common mineral known by that term not in combination with any other liquid, fluid or mineral.

Sec. 3. Any person who may be found in any county in this state with mercury in his possession, and who has not in his possession a bill of sale, or other written evidence of title to said mercury shall be guilty of a felony, and upon conviction thereof, shall be confined in the penitentiary for a term of not less than one (1) year nor more than five (5) years, or shall be confined in the

county jail for not less than ninety (90) days nor more than two hundred (200) days, or shall be fined not less than One Hundred (\$100.00) Dollars, nor more than Five Hundred (\$500.00) Dollars, or by both such fine and imprisonment.

Sec. 4. This Act shall be cumulative of all laws of the State and any violation hereof may be prosecuted, irrespective of whether or not the acts complained of may constitute some of the essential elements of other or different offenses against the penal laws of this State; and for the purposes of this Act the word "steal" shall mean to take wrongfully and without just claim of authority any mercury, and the word "steal" need not be defined in any indictment for the prosecution of any offense hereunder.

Sec. 5. If any section, paragraph, sentence, clause or word of the Act is held to be unconstitutional, the remaining portions of the same nevertheless shall be valid and the Legislature declares that the Act would have been enacted without such unconstitutional portion.

Sec. 6. The fact that at the present time and in the immediate past owners and operators of gas properties in this State are and have been suffering an annual loss of many thousands of dollars because mercury has been stolen, and that in attempting to curtail this loss it has become necessary for operators to patrol their properties at night and other times and otherwise expend large sums of money, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read in each House on three several days be suspended, and the same is hereby suspended and this Act shall take effect and be in force from and after its passage and it is so enacted." Amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 32 on Third Reading

Senator Smith moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 32 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

House Bill 1065 on Second Reading

On motion of Senator Lemens and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 1065 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 1065, A bill to be entitled "An Act providing that mutual life insurance companies and associations operating under S. B. No. 135, Acts of the Regular Session of the Forty-sixth Legislature may with the approval of the Board of Insurance Commissioners place provisions in the policies issued providing for the payment of reduced benefits or the exclusion of coverage if death or injury occurs while the insured is engaged in military, naval, aerial service or aerial flight in time of peace or war; or while engaged in certain hazardous occupations to be named in the policies; or if death or injury is caused by mob violence or legal execution; and providing for reducing or excluding benefits for sickness from certain named causes; providing a savings clause; repealing all laws or parts of laws in conflict

herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 1065 on Third Reading

Senator Lemens moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 1065 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

Message from the House

The Assistant Reading Clerk was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. B. No. 983 by a vote of 123 yeas, 4 noes.

The House has adopted H. C. R. No. 189, Granting each House right to adjourn from Thursday, May 29th, until Monday, June 2nd, 1941.

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

House Concurrent Resolution 189

The President laid before the Senate and had read (the resolution having been received from the House today):

H. C. R. No. 189, Authorizing the House and/or Senate to adjourn from May 29, 1941 to June 2, 1941.

By unanimous consent, the resolution was considered and adopted at this time.

House Bill 796 on Second Reading

Senator Moffett moved that the regular order of business be suspended, to permit consideration of H. B. No. 796 at this time.

The motion prevailed by the following vote:

Yeas—20

Aikin	Lovelady
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Formby	Moore
Hill	Ramsey
Isbell	Shivers
Kelley	Smith
Lanning	Stone
Lemens	Van Zandt

Nays—7

Cotten	Vick
Graves	Weinert
Martin	York
Sulak	

Absent

Fain	Hazlewood
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Absent—Excused

Spears	Winfield
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The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 796, A bill to be entitled "An Act further regulating the sale, transportation, storage, manufacturing, etc., of alcoholic beverages in this State under the Texas Liquor Control Act by amending portions of, repealing portions of and adding new Sections to Chapter 467, Acts of the Second Called Session of the Forty-fourth Legislature, as amended by H. B. No. 8, Acts of the Third Called Session of the Forty-fourth Legislature, and by H. B. No. 5, etc.; providing for regulation of marketing practices; establishing penalties; providing savings clauses; and declaring an emergency."

The bill was read second time.

Senator Moffett offered the following amendment to the bill:

Amend H. B. No. 796 by striking out all of that portion of said bill designated as "Section VII-A," appearing on page 31 of the mimeographed bill.

Question—Shall the amendment be adopted?

Senate Concurrent Resolution 70

Senator Aikin, by unanimous consent, offered at this time the following resolution:

S. C. R. No. 70, Providing funds to administer H. B. No. 205.

Whereas, H. B. No. 205, which transfers the administration of the Certificate of Title Act passed by the Regular Session of the Forty-seventh Legislature from the Department of Public Safety to the Texas Highway Department, was passed unanimously by both Houses of this Legislature and signed by the Governor of Texas on May 2, 1941; and

Whereas, By the passage of H. B. No. 205 it was the intention of this Legislature that the administration of the Act be immediately taken over and carried on by the Texas Highway Department, and to make available to the Texas Highway Department for its immediate use in paying salaries and all other costs and expenses necessary to such administration all of the fees collected by the Texas Highway Department for the issuance of certificates of title thereunder; and

Whereas, There is some question as to the immediate use of such funds

appropriated to the Texas Highway Department under the provisions of the bill; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That it was the intent and purpose of the Legislature by the passage of said bill that all revenues accruing to the State Highway Fund under the terms of H. B. No. 205 be immediately available to the State Highway Department for its use in the payment of salaries and all other expenses necessary to the proper administration of the Act, and the Comptroller of Public Accounts of the State of Texas is hereby requested to issue warrants against said funds upon the presentation of proper vouchers by the Texas Highway Department covering salaries and all other expenses from and after the effective date of H. B. No. 205.

LEMENS,
AIKIN,

The resolution was read, and on motion of Senator Aikin, and by unanimous consent, it was considered immediately.

The resolution was adopted.

Bills and Resolution Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bills and resolution:

S. B. No. 70, A bill to be entitled "An Act to amend Section 8 of H. B. No. 440, Regular Session, Forty-fifth Legislature, Acts of 1937, Chapter 169, providing for the exemption for prescribing, administering, dispensing or selling at retail certain specified medicinal preparations containing small amounts of certain named drugs, etc.; and declaring an emergency."

S. B. No. 187, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the Board, and establishing the Texas Commission on Interstate Cooperation; describing the functions and operations of said commission; providing for the establishment of delegations and committees; providing for reports; providing titles for the committees and the commission; declaring the Council of State Governments a joint governmental agency of this State and of the other states; stating the intent of a fund

to be appropriated by the Legislature; providing a saving clause; and declaring an emergency."

S. B. No. 276, A bill to be entitled "An Act granting permission to Thomas H. Fort to file and prosecute suit against the State of Texas and the State Highway Commission to ascertain and fix the amount, if any, due said Thomas H. Fort for damages alleged to have been sustained by reason of the construction, during the years 1939 and 1940, of highway improvements, consisting generally of road bed treatment, concrete pavement and appurtenances, on those parts of United States Highway No. 80 in Tarrant County, Texas, and East Rosedale Street, Fort Worth, Tarrant County, Texas, which are at and near the intersection of said Highway No. 80 and said East Rosedale Street, and along and near to the North and East lines of a tract of land belonging to said Thomas H. Fort, in Tarrant County, Texas, and on account of alleged damages resulting from the construction of said highway improvements in such way as to overflow and otherwise damage said land of Thomas H. Fort, and on account of the compensation, if any, to which said Thomas H. Fort may be entitled by reason of the taking and damaging, by the State of Texas and the State Highway Commission, of said property for said public use, and permitting the rendition of judgment for such damages and compensation, if any, as may be ascertained by such suit; that said suit shall be tried according to the rules of law and equity and procedure as would be applicable if the suit were one by and between citizens of the State of Texas or by and between private corporations; providing for a right of appeal by either party; providing for the service of citation on the State and the Highway Commission; providing the time in which such suit may be brought; providing that the State of Texas and State Highway Commission may plead any defense available to it, except the statute of limitation; and declaring an emergency."

S. B. No. 462, A bill to be entitled "An Act granting permission to Mount Olivet Cemetery Company, a private corporation chartered under the laws of this State, and to bring and prosecute suit against the State of Texas in any court of competent

jurisdiction in Tarrant County, Texas, to ascertain the amount, if any, due the Mount Olivet Cemetery Company for damages alleged to have been sustained by reason of the construction and maintenance of the State highway and the overpass on said State highway which runs in a general easterly and westerly direction on the north side of the cemetery belonging to and operated by the Mount Olivet Cemetery Company in Tarrant County, Texas, said highway being known as State Highway No. 15, and providing that said suit shall be tried according to the rules of law and equity and procedure as would be applicable if the suit were one by and between citizens of the State of Texas or by and between private corporations; providing for a right of appeal by either party and for the joinder of other proper or necessary parties; providing for the service of citation on the State, and providing the time in which such suit may be brought, and providing that the State of Texas may plead any defense available to it, except the Statute of Limitation; and declaring an emergency."

S. B. No. 482, A bill to be entitled "An Act authorizing commissioners' courts in counties of five hundred thousand (500,000) population or more according to the last preceding or any future Federal Census, to formulate a general personnel system and rules and regulations covering hours of work, vacations, holidays, and sick leave, and for medical care, hospitalization and accident insurance of employees of any county affected hereby or any flood control district therein and deputies and assistants to county officers, providing for classifications of positions for said employees and rates of compensation within the limits provided by the Legislature, and for work reports, etc; providing that this Act shall be cumulative of existing laws except where in conflict, and if any section be unconstitutional that such determination shall not affect the remainder of the Act; and declaring an emergency."

H. B. No. 576, A bill to be entitled "An Act to repeal Article 4201a, R. C. S. of Texas, 1925; and declaring an emergency."

H. B. No. 968, A bill to be entitled "An Act creating a special road law for Burnet County, Texas, etc; and declaring an emergency."

H. B. No. 1026, A bill to be entitled "An Act conferring upon the Board of Regents of the Texas State Teachers Colleges the power of eminent domain to acquire land for the use of the colleges; etc."

H. C. R. No. 171, Opposing further transfer of tankers for the purpose of carrying oil and its products to the North Atlantic ports for the British.

'Conference Committee on House Bill 29

The President announced the appointment of the following conferees on H. B. No. 29: Senators Sulak, Moffett, Formby, Metcalfe and Chadick.

House Bill 670 on Second Reading

On motion of Senator Beck and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 670 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 670, A bill to be entitled "An Act to establish and maintain an Agricultural Experiment Station for the development of dairy, poultry and truck crops in the Thirty-fifth District of Texas, authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable location for said station and empowering said Board of Directors to establish and maintain the same; to accept donations of land, water and money for establishing said station and for the operation of same; and declaring an emergency."

The bill was read second time.

Senator Beck offered the following amendments to the bill:

(1)

Amend the bill by striking out all after the enacting clause and inserting the following:

"Section 1. That the Board of Directors of the Agricultural and Mechanical College of Texas are hereby authorized and empowered to establish and maintain a Dairy Experiment Station in the First Senatorial District of Texas for the purpose of making scientific investigations and experiments in the study of the grazing, feeding, pasturage, land mainte-

nance, and other problems of dairying applicable to northeast Texas.

"Sec. 2. The Board of Directors of the Agricultural and Mechanical College of Texas are hereby authorized and empowered to secure a suitable site for the location of said Dairy Experiment Station to be located in the First Senatorial District. Said Board of Directors are authorized to accept donations of land for the establishment and maintenance of said station and to use any appropriations which are hereby made for the erection of necessary buildings, and for the equipment and maintenance.

"Sec. 3. The dairy experiment station herein provided for shall be under the direction and supervision of the Board of Directors of the Agricultural and Mechanical College of Texas, and shall be operated and conducted by the directors of experiment station, as all other State Experiment Stations are so conducted.

"Sec. 4. To provide for the establishment of such experiment station and for its maintenance for the ensuing biennium beginning September 1, 1941, and ending August 31, 1943. The following sums are hereby appropriated for the two years of such biennium as set out below:

Establishment Fund	1st Year	2nd Year
Fencing	\$ 1,000.00	
Livestock:		
Cows	4,000.00	
Two bulls	700.00	
Four work mules	400.00	
Buildings:		
Office building	750.00	
Milking barn and milk house	3,000.00	
Large barn for hay feeding and shortage	2,000.00	
Bull barn and calf barn	800.00	
Implement shed and shop	500.00	
Well, tank, and pressure system	2,500.00	
Residences	5,000.00	
Equipment:		
Office equipment	500.00	
Milking equipment and machinery	1,500.00	
Farm machinery, tools, and implements	1,500.00	
Scientific apparatus	1,000.00	
TOTAL—Establishment Fund	\$ 25,150.00	
Maintenance Fund		
Salary of Superintendent	\$ 2,100.00	\$ 2,100.00
Labor	3,000.00	3,000.00
Furniture and fixtures; postage, stationery, and office supplies; freight and express; telegraph and telephone; and travel	500.00	500.00
Seeds and plants, chemicals, fertilizers and laboratory supplies and equipment	1,000.00	500.00
Fuels, oils, greases, and lubricants for station engines	500.00	500.00
Feeding stuffs	3,000.00	1,000.00
Light and Power	500.00	500.00
TOTAL—Maintenance Fund	\$ 10,600.00	\$ 8,100.00
TOTAL—Establishment and Maintenance	\$ 35,750.00	\$ 8,100.00

"Sec. 5. The fact that the production of milk and all other dairy products is the most feasible and practical method in bringing about the development of agriculture in northeast Texas, which is so neces-

sary to the economic well-being in that region, and the further fact that the farmers of northeast Texas are not fully acquainted with the best accepted methods of carrying on dairying and meeting the problems with

which they are confronted in feeding, pasturage, and land maintenance create an emergency and an imperative public necessity requiring the suspension of the constitutional rule which requires all bills to be read on three several days, and the rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted."

(2)

Amend the caption of the bill to read as follows:

A bill to be entitled

"An Act to establish and maintain an Agricultural Experiment Station for the development of dairy, poultry and truck crops in the First Senatorial District of Texas; authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to select a suitable site for said station within the First Senatorial District of Texas and empowering said Board of Directors to establish and maintain the same, to accept donations of lands; said land to be furnished without cost to the State; and to use any appropriations which are hereby made for the construction, equipping, and maintenance of such experiment station; and declaring an emergency."

The amendments were adopted severally.

The bill was passed to third reading.

House Bill 670 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 670 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Lanning
Beck	Lemens
Brownlee	Lovelady
Chadick	Martin
Cotten	Mauritz
Fain	Metcalf
Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Stone

Sulak	Weinert
Van Zandt	York
Vick	

Absent—Excused

Spears	Winfield
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears	Winfield
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Reports of Standing Committees

Senator Ramsey, by unanimous consent, submitted the following report:

Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred

S. B. No. 492, A bill to be entitled "An Act providing for and fixing compensation for county auditors in certain counties; and declaring an emergency."

Have had the same under consideration, and we desire to report it back to the Senate with the recommendation that it do pass and not be printed.

RAMSEY, Chairman.

Senator Smith, by unanimous consent, submitted at this time the following reports:

Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 1057, A bill to be entitled "An Act providing (1) an open season for quail in Cherokee County from December 1st in one year to January 16th in the following year, both days inclusive; (2) that it shall be lawful to kill quail in Cherokee County on Monday, Wednesday, and Friday of each week, after the 1st day of December, 1941, and continuing until and including the 16th day of January, 1942, and during the same time each year thereafter on the same days of the week; that twelve (12) quail shall be the limit which any one person may kill in any one day during this period; (3) that quail may be hunted and killed in Cherokee County only on Sundays and Wednesdays during the period from December 1st of one year to January 16th of the following year, both days inclusive; (4) that it shall be unlawful to take, kill, or attempt to take or kill any quail in Cherokee County; and declaring an emergency."

Have had the same under consideration, and we desire to report same back to the Senate with the recommendation that it do pass and be not printed.

SMITH, Chairman.

Austin, Texas,
May 29, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 515, A bill to be entitled "An Act applicable to the County of Tom Green, State of Texas, prohibiting the transportation of minnows beyond the borders of said County for the purpose of sale; limiting the number of minnows to be transported beyond the limits of said County; prohibiting the use of trot-lines or throw lines containing more than twenty-five (25) hooks; limiting the use of such lines to a maxi-

mum of two such lines to any person or group of persons; providing for a closed season on fishing in said County, with certain exceptions; providing legal length of catfish in said County; providing the daily bag limit of catfish; providing penalties for any violation of this Act; and repealing all laws in conflict."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it be passed, as amended, and that it be not printed.

SMITH, Chairman.

House Bill 990 on Second Reading

On motion of Senator Stone and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 990 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 990, A bill to be entitled "An Act authorizing Gulf Coast counties in Texas having fifty thousand (50,000) population or more to construct, acquire, improve, operate and maintain causeways, bridges, tunnels or any combination thereof, including related properties and ferries, and to issue their revenue bonds payable solely from the revenues to be derived from the operation of such projects, making various provisions with respect thereto and with respect to the security and enforcement of such bonds, including provision for the execution of trust indentures, for the appointment of receivers for such projects, and for the deposit and security of funds in banks and trust companies; providing for approval of such bonds by the Attorney General; authorizing such counties to exercise the rights of condemnation in the manner provided; authorizing such counties to enter in agreements with the State or Federal Governments or any agencies or instrumentalities thereof; granting to such counties easements and rights of way in and over State lands and properties; providing for the management and control of such projects; providing that such projects and bonds shall be exempt from taxation; providing that the powers herein granted may be exercised without the consent or regulation of any State Department, commission or agency; authorizing

the State Highway Commission to operate, maintain or lease such projects; authorizing the refunding of such bonds; validating existing agreements; making general provisions with respect to the above; and declaring an emergency."

The bill was read second time.

Senator Moore offered the following amendment to the bill:

Amend H. B. No. 990 by adding at the end of Section 1 thereof the following: "provided, however, that nothing in this Act shall authorize the construction of a bridge over and across any ship channel or waterway leading to any port."

The amendment was adopted.

Senator Shivers offered the following amendment to the bill:

Amend H. B. No. 990 by adding a new section reading as follows:

H. B. No. 9, Chapter 32, Acts Fourth Called Session, Forty-third Legislature, hereby repealed."

Amend the caption to conform.

The amendment was adopted.

The bill was passed to third reading.

House Bill 990 on Third Reading

Senator Stone moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 990 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

House Bill 214 on Second Reading

On motion of Senator Van Zandt and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 214 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 214, A bill to be entitled "An Act amending Article 1036, Title 15, Chapter 2, of the Code of Criminal Procedure of 1925, as amended by Chapter 75, Acts of the Regular Session of the Fortieth Legislature, and by Chapter 143 of the Acts of the Regular Session of the Forty-second Legislature, providing for the payment of witness fees by the State of Texas; prescribing the procedure to be followed in the payment thereof; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 214 on Third Reading

Senator Van Zandt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 214 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

House Bill 686 on Second Reading

On motion of Senator Weinert and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 686 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 686, A bill to be entitled "An Act amending Section 1 of Chapter 168, S. B. No. 203, of the General Laws of the Regular Session of the Forty-second Legislature so as

to authorize the State Parks Board to operate or grant concessions in State Parks and to operate concessions or make concession contracts for any causeway, beach drive or other improvements in connection with State Park sites; and providing that the revenue thus earned shall when collected be placed in the State Treasury; and authorizing the said Board to make such rules and regulations for the carrying out of this Act and the Laws of this State relative to State Parks as it may deem necessary not in conflict with law; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 686 on Third Reading

Senator Weinert moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 686 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Graves
Beck	Hazlewood
Brownlee	Hill
Chadick	Isbell
Cotten	Kelley
Fain	Lanning
Formby	Lemens

Lovelady	Smith
Martin	Stone
Mauritz	Sulak
Metcalf	Van Zandt
Moffett	Vick
Moore	Weinert
Ramsey	York
Shivers	

Absent—Excused

Spears	Winfield
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Concurrence in House Amendments to Senate Bill 477

Senator Mauritz called S. B. No. 477 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments to the bill.

Report of Conference Committee on House Joint Resolution No. 24

Senator Moore submitted the following report:

Conference Committee Room,
Austin, Texas,
May 19, 1941.

Hon. Coke R. Stevenson, President of the Senate;

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on H. J. R. No. 24, have met and beg leave to recommend that said H. J. R. No. 24 be passed in the form hereto attached.

Respectfully submitted,
HEFLIN,
STINSON,
SIMPSON,
RIDGEWAY,
McALISTER,

On the part of the House;

GRAVES,
MOORE,
RAMSEY,
SHIVERS,

On the part of the Senate.

A Joint Resolution, proposing an amendment to Article V of the Constitution of Texas by providing that the Legislature shall have the power by local or general law, in counties

having a population in excess of two hundred thousand (200,000) inhabitants to create other courts having exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters; fixing the time for an election therefor; prescribing the form of ballot; providing for a proclamation of such election and the advertisement thereof; and making an appropriation therefor.

Be It Resolved by the Legislature of the State of Texas, THAT:

Section 1. Article V of the Constitution of the State of Texas be amended by adding thereto a new Section to be known as Section 22 (a) and reading as follows:

"Section 22 (a). The Legislature shall have the power, by local or general law (without the necessity of advertising any such local law), in counties having a population in excess of two hundred thousand (200,000) inhabitants according to the then last Federal Census, to create other courts having either exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters."

Sec. 2. The foregoing Constitutional amendment shall be submitted to the qualified voters of the State of Texas at a special election to be held on the first Tuesday after the first Monday in November, 1942, at which time all voters favoring such proposed amendment shall have written or printed on their ballots the following:

"For the amendment to the Constitution, providing that the Legislature may in certain counties create other courts having either exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters."

Those voters opposed to such amendment shall have written or printed on their ballots the following:

"Against the amendment to the Constitution, providing that the Legislature may in certain counties create other courts having either exclusive jurisdiction or concurrent jurisdiction with the county court in civil, criminal or probate matters."

If it appears from the returns of said election that a majority of the votes cast is in favor of the amend-

ment, the same shall become part of the Constitution of the State of Texas.

Sec. 3. The Governor of the State is hereby directed to issue the necessary proclamation for said election and to have it published as required by the Constitution and existing laws of this State.

Sec. 4. The sum of Ten Thousand (\$10,000.00) Dollars or so much thereof as may be necessary is hereby appropriated out of the State Treasury not otherwise appropriated to pay the expense of said publication and election.

The report was adopted by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Forniby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

House Bill 894 on Second Reading

On motion of Senator Cotten and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 894 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 894, A bill to be entitled "An Act defining the jurisdiction of the County Court of Navarro County and diminishing its civil jurisdiction; providing that the District Court of Navarro County shall have jurisdiction in all civil matters over which by law the county court would have original jurisdiction; providing for the transfer of certain civil causes from the County Court to the District Court of Navarro County; providing the Act shall not affect judgments heretofore rendered by said county court in causes now transferred to the district court of said county; pro-

viding for the repeal of all laws in conflict therewith."

The bill was read second time and was passed to third reading.

House Bill 894 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 894 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	York
Lovelady	

Absent—Excused

Spears Winfield

Adjournment

On motion of Senator Lanning, the Senate at 12:40 o'clock p. m., adjourned until 10:00 o'clock a. m. Monday, June 2, 1941.

APPENDIX

Communication from Mrs. Adair Mauritz Nelson

Ganado, Texas,
May 28, 1941.

Hon. Coke R. Stevenson, Lieutenant Governor and Members of the Senate of Texas.

Your resolution of condolence on the occasion of the death of my husband, John Lambert Nelson, is very deeply appreciated by me.

Your floral offering at the funeral service also gave evidence of your sympathy.

Bereavements must be faced, but sympathetic expressions from friends do tend to allay the sorrow.

May God's blessings rest upon each of you and upon your efforts in behalf of our people.

Very sincerely,

Adair Mauritz Nelson.

Communication from Hon. Will D. Pace

Tyler, Texas,
May 13, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Dear Friend:

Please let me thank you, and, through you, the individual members of the Texas Senate, for the beautiful flowers sent when my mother passed away recently.

I also want to especially acknowledge my gratitude to all of you for the resolution offered by Senator Winfield in memory of my mother, Mrs. Ida Orr Pace. This action by the Senate was indeed thoughtful, and I genuinely appreciated it.

Sincerely yours,

Will D. Pace.

SEVENTIETH DAY

(Monday, June 2, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Stone
Hazlewood	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Hill	Spears
Smith	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered prayer.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of the Sixty-ninth Legislative Day was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Graves.

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Winfield.

Senator Smith was granted leave of absence for today on account of important business, on motion of Senator Moffett.

Report of Standing Committee

Senator Weinert submitted the following report:

Austin, Texas,
June 2, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 1053, A bill to be entitled "An Act amending Section 5 of H. B.